

Firefighters Dig In, Even Before Sitting Down

Robert Rivard on 10 April, 2014 at 00:16





San Antonio firefighter Gerald Cortes, represented by the [local chapter](#) of the [International Association of Fire Fighters](#), filed suit against the City of San Antonio Wednesday afternoon to prevent officials from learning how many dependents are using his city-funded health care insurance benefits.

[Judge Cathy Stryker of the 224th District Court](#) granted Cortes a temporary restraining order (TRO) that prevents City or [San Antonio Fire Department](#) officials from requiring him to turn over records showing dependents and their use of the city-funded health care insurance plan. Stryker set a hearing date on the lawsuit for April 23. [Download the TRO here](#).

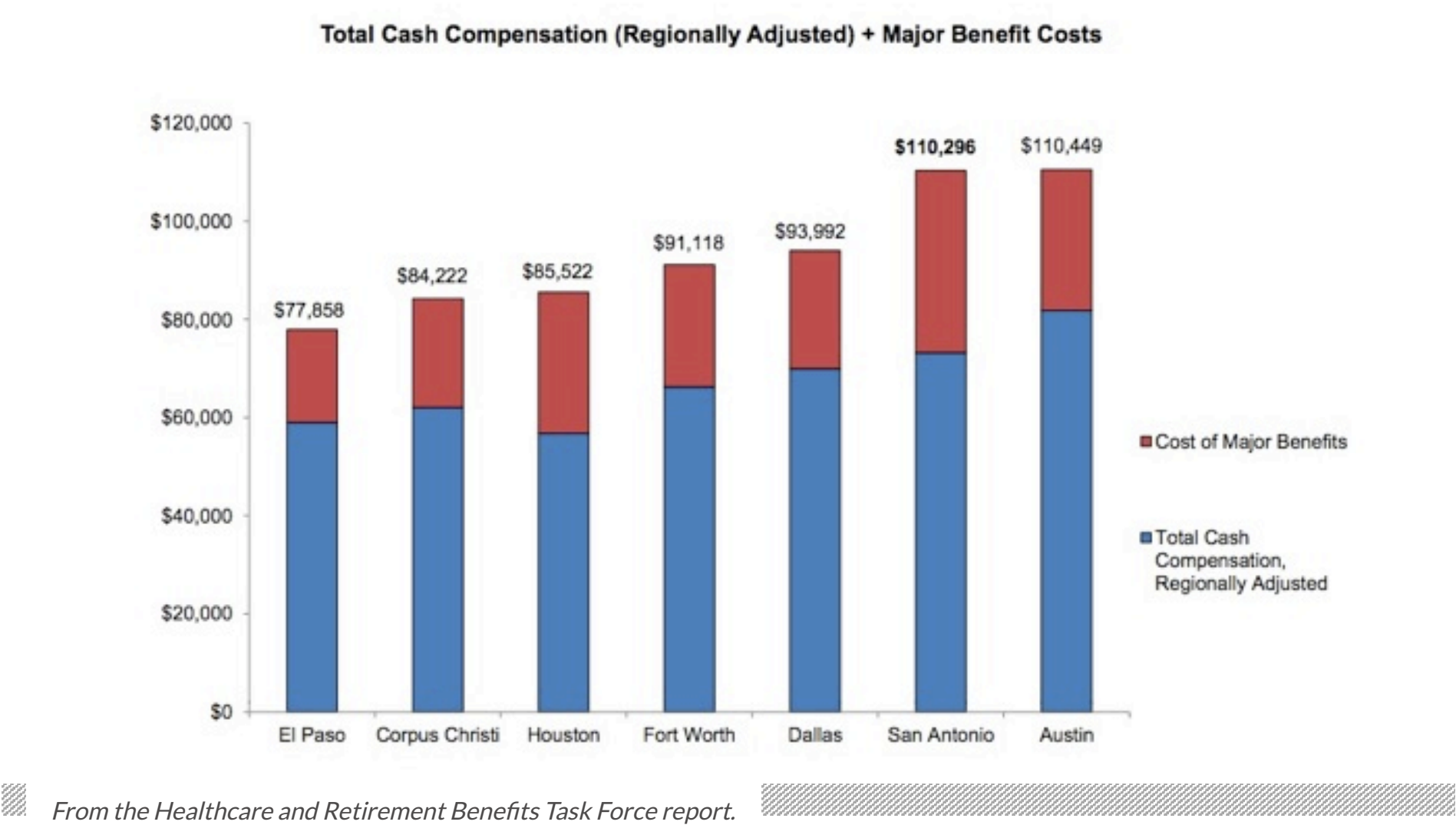
The TRO hearing came as a surprise to city attorneys, who were given only 30 minutes notice before appearing in court to present arguments defending efforts to gather and analyze the same data already provided by civilians and police. [Download Cortes' petition here](#).

Stryker granted the TRO, her order stating that the City, unless “restrained by the Court,” would discipline Cortes or cancel his benefits for refusing to comply with an order to turn over records from SAFD Chief Charles Hood.

The city has been trying to get firefighters to update incomplete personnel files, which the union has resisted and gone to court on two other occasions. SAFD Chief Charles Hood issued a department-wide order to update insurance records, including lists of dependents, which led to Wednesday’s lawsuit.

What appears on paper to be litigation by a single firefighter actually is an attempt by union officials to thwart the city’s efforts to win a new collective bargaining agreement that would require uniformed personnel to pay a greater share of their health care insurance costs. The union represents the city’s 1,663 uniformed firefighters.

San Antonio firefighters, like the 2,375 uniformed local police officers, do not pay monthly premiums for health care benefits for themselves or dependents. That – coupled with unusually low co-pays, deductibles and ceilings on maximum payouts – gives police and firefighters a benefits package unlike any other city-funded program in the state. San Antonio is the only Texas city that gives its uniformed personnel a different, and much richer, benefits package than its civilian workforce.



The lawsuit brought by the firefighter likely will delay the start of negotiations between the city and the firefighters union. No date has been set yet to open talks. Police and the city have met for three rounds of talks to date.

Rumors have circulated at City Hall that firefighters might refuse to enter into negotiations with the city. The current contract expires at the end of September, but failure by the two sides to agree on a new collective bargaining agreement would leave the existing contract in force.

The city’s efforts to change the terms of the health care plan and to roll back other benefits – such as unlimited college tuition reimbursements, contributions to a legal fund used mostly by uniformed personnel divorcing their spouses, and other unconventional “special pay” categories in the contract – come after City Manager Sheryl Sculley warned City Council last year that rising costs threatened the city’s credit rating and placed a growing burden on the General Fund budget that could force cuts to other services such as parks and libraries.

San Antonio currently spends 66.5 percent of its General Fund budget on public safety, significantly higher than other cities and the national average. Sculley has said at the current rate of expense growth, the entire budget would go to public safety by 2031 unless spending is curbed.



San Antonio City Manager
Sheryl Sculley

Police and union officials have enjoyed the unusually rich contract for 25 years, and are resisting efforts to reduce health care and other benefits unless they are offset by payroll increases. The next round of city-police union talks is set for April 15.

“We are disappointed that the Firefighter Labor Union has sued the City of San Antonio today for the third time attempting to stop the dependent healthcare verification of fire personnel and their dependents,” Sculley said in a statement released by her office. “My responsibility is to ensure that any person receiving healthcare benefits from the City is qualified to receive such benefits funded by San Antonio taxpayers. Dependent healthcare verifications are a nation-wide best practice of private and public

employers and have already been completed for City civilian employees and police officers.”

Because the average number of dependents thought to be availing themselves of the city-funded police and firefighter health care plans is more than double the number of dependents using the civilian employee plan and double the national average among municipalities, the City’s [Health Care and Retirement Benefits Task Force](#) appointed by Mayor Julián Castro and City Council last fall recommended annual dependent healthcare verifications. [Download the task force’s report here.](#)

“We fail to understand why the Firefighter Labor Union will not cooperate with the healthcare verification process,” Sculley said in her statement. “What do they have to hide?”

*Featured/top image: From the [SAFD 2012 Annual Report](#).